REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Claims 1-17 are pending in this application. By the present Amendment, Claims 1, 5, 6, 7, 8, 16 and 17 are amended.

Claims 1, 2, 5-7, 16 and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,351,745 ("Itakura"). Claims 3, 4, 8, 10, 12 and 14 were rejected under 35 U.S.C. 103(a) over Itakura in view of U.S. Patent No. 5,027,400 ("Baji"); and the Kitsukawa patent was added to this combination to reject Claims 9, 11, 13 and 15. Applicant respectfully submits that all claims in this application, at least in the form presented herein, are patentably distinguishable from the cited references for at least the following reasons:

Considering Claim 1, for instance, it is contended that Itakura does not disclose or suggest an information processing apparatus that includes at least the following:

> "first registration means for registering general additional information regarding said contents data, *said general additional information comprising at least one of time or date of filming a video scene of said contents data, an explanation of a scene, title to background music, contents ID, general purpose additional information ID, part covered by additional information, name covered by additional information, segment number, scene number, object number, and additional information classification* ...
>
> extraction means for extracting said general additional information and said individual additional information stored in said storage means *if a delivery request for contents data is received from other apparatus*, wherein said individual additional information is extracted on the basis of user information comprising at least one of user usage status and user usage classification ...
>
> transmission means for transmitting said contents data and said individual data generated by said generation means via said network to said other apparatus, *to enable said contents data, said general additional information and said individual additional information to be simultaneously displayed on a display screen at said other apparatus.*" (emphasis added)

In the Final Office Action, it was asserted on page 5 that Itakura displays contents data, additional information, and individual additional information simultaneously in Figs. 29 and 33. In particular, the Examiner referred to a contents data region 60 and a "location region" for displaying the claimed additional information regarding the contents data. However, contrary to Applicants' Claim 1 as presented herein, the "location region" does not constitute general information comprising at least one of time or date of filming a video scene of the contents data, an explanation of a scene, title to background music, etc. Thus, currently amended Claim 1 is not anticipated by Itakura for at least this reason.

Further, the Office Action stated on page 6 that the claimed "delivery request" is met by the material request button 66 which is used by a viewer to request additional information regarding goods advertised, and this information is displayed in the viewer window 60. Applicant's currently amended Claim 1, however, specifically recites a delivery request *for contents data*. This distinction is significant in that, with Applicant's claimed invention, general additional information as well as individual additional information regarding contents data is extracted after a delivery request by the user for that contents data, without any requirement for the user to subsequently make selections of advertisements or the like. Thus an advantage of the present invention over Itakura's system is readily apparent.

Accordingly, in light of the above distinctions, Claim 1 is not rendered unpatentable by Itakura under §102(b).

Independent Claims 6, 7, 8 and 16 are patentable over Itakura for at least the same reasons just discussed concerning analogous features of Claim 1.

Regarding independent Claim 17, as currently amended, it is submitted that Itakura does not disclose or suggest at least analyzing a delivery request *for contents data* received from

another apparatus, extracting general purpose additional information of the contents data and individual additional information in accordance with the analysis, wherein the individual additional information is extracted on the basis of user information comprising at least one of user usage status and user usage classification; and generating individual metadata from the additional data and the extracted individual additional information. Note that the Office Action asserted on page 8 that Itakura discloses that if the user selects material request button 66, informational materials describing the audio or video advertisement are displayed in window 62. This feature of Itakura, however, is different from that claimed in Claim 17 wherein the delivery request is for contents data, not for additional information pertaining to the contents data (e.g., as the information on advertisements taught by Itakura). That is, with the present invention, a delivery request for contents data results in the transmission of extracted individual additional information, where the extraction is done on the basis of user usage status and user usage classification. This technique is not contemplated by Itakura.

Claim 5, which is amended to depend from Claim 17, now claims that the updating charging information updates charges to at least an end user for use of the contents data and/or individual metadata on the basis of the generated individual metadata. In contrast, the charging disclosed in the Itakura reference is only to the providers of advertisements. Accordingly, amended Claim 5 is further distinguishable from Itakura.

The remaining claims in this application are patentable over the cited references based at least upon their respective dependencies from one of the above-discussed independent claims.

Conclusion

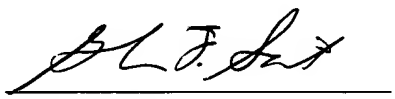
In view of the foregoing, entry of this Amendment, and the allowance of this application with Claims 1-17, is respectfully solicited.

The above statements concerning the disclosures in the cited references represent the present opinion of Applicant's representative and, in the event that the Examiner disagrees, Applicant's representative respectfully requests the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

It is submitted that the claims in this application, as originally presented, are patentably distinct over the prior art cited by the examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. 112. Changes to these claims, as presented herein, is not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made for clarification and to round out the scope of protection for the invention.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

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